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AC 16670

State of California  
State Water Resources Control Board  
DIVISION OF WATER RIGHTS  
P.O. Box 2000, Sacramento, CA 95812-2000  
Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

**PETITION FOR CHANGE**  
(WATER CODE 1700)

Application \_\_\_\_\_ Point of Diversion, \_\_\_\_\_ Point of Rediversion, X Place of Use, X Purpose of Use  
Permit \_\_\_\_\_ License \_\_\_\_\_ Statement or Other Statements 15199, 15200, 15201, and 15202

I (we) hereby petition for change(s) noted above and shown on the accompanying map and described as follows:

**Point of Diversion or Rediversion** (Give coordinate distances from section corner or other ties as allowed by Cal CR 715, and the 40-acre subdivision in which the present & proposed points lie.)

Present No change

Proposed \_\_\_\_\_

**Place of Use** (If irrigation then state number of acres to be irrigated within each 40-acre tract.)

Present See Attachment 1

Proposed \_\_\_\_\_

**Purpose of Use**

Present Irrigation, Frost Protection, Heat Control

Proposed Irrigation, Frost Protection, Heat Control, Instream Uses

Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)? yes

(yes/no)

- GIVE REASON FOR PROPOSED CHANGE: To dedicate a portion of an existing riparian right to instream uses for the purposes of increasing springtime flows in Russian River.

- WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED? No

(yes/no)

- WATER WILL BE USED FOR Irrigation, Frost Protection, Heat Control, Instream Use PURPOSES.

I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of? N/A, See Attachment 1  
(ownership, lease verbal or written agreement)

Are there any persons taking water from the stream between the old point of return flow and the new point of return flow? N/A  
(yes/no)

If by lease or agreement, state the name and address of party(s) from whom access has been obtained.

Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.

None

**THIS CHANGE DOES NOT INVOLVE AN INCREASE IN THE AMOUNT OF THE APPROPRIATION OR SEASON OF USE.**

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated Dec 10, 20 10 at Talmage, California

Kip K. Sch  
Signature(s)

707-462-6624  
Telephone No.

**NOTE:** A \$1,000 fee, for each Application listed, made payable to the State Water Resources Control Board and an \$850 fee made payable to the Department of Fish and Game must accompany a petition for change.

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demands and cut your energy costs, see our web-site at: <http://waterrights.ca.gov>.*

PET-CHG (5-01)

Additional copies of this form and water right information can be obtained at [www.waterrights.ca.gov](http://www.waterrights.ca.gov)

*for distribution*  
\$850  
*11/11/10*  
*all pay*  
*9/2/11*

# ATTACHMENT 1

PLACE OF USE - Present

USE IS WITHIN	SECTION	TOWNSHIP	RANGE	BASE & MERIDIAN	ACRES	IF IRRIGATED PRESENTLY CULTIVATED?
NE 1/4 OF NW 1/4	18	13N	11W	MD	1	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
SW 1/4 OF NW 1/4	18	13N	11W	MD	8	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
SE 1/4 OF NW 1/4	18	13N	11W	MD	34	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
NW 1/4 OF NE 1/4	18	13N	11W	MD	10	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
SE 1/4 OF NE 1/4	18	13N	11W	MD	1	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
SW 1/4 OF NE 1/4	18	13N	11W	MD	32	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
NW 1/4 OF SW 1/4	18	13N	11W	MD	4	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
NE 1/4 OF SW 1/4	18	13N	11W	MD	34	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
SE 1/4 OF SW 1/4	18	13N	11W	MD	8	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
NW 1/4 OF SE 1/4	18	13N	11W	MD	39	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
NE 1/4 OF SE 1/4	18	13N	11W	MD	8	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
SE 1/4 OF SE 1/4	18	13N	11W	MD	5	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
SW 1/4 OF SE 1/4	18	13N	11W	MD	34	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
NE 1/4 OF NW 1/4	19	13N	11W	MD	22	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
SE 1/4 OF NW 1/4	19	13N	11W	MD	24	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
NW 1/4 OF NE 1/4	19	13N	11W	MD	30	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
NE 1/4 OF NE 1/4	19	13N	11W	MD	6	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
SW 1/4 OF NE 1/4	19	13N	11W	MD	20	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

PLACE OF USE - Proposed

320 acres as described above (irrigation, frost protection, heat control), and Russian River between POD #2 and mouth (Instream uses)

# California Environmental Protection Agency

State Water Resources Control Board

## DIVISION OF WATER RIGHTS

**P.O. Box 2000, Sacramento, CA 95812-2000**

Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

## ENVIRONMENTAL INFORMATION FOR PETITIONS

☒ **Petition for Change**

### ☐ Petition for Extension of Time

Before the State Water Resources Control Board (SWRCB) can approve a petition to change your water right permit or a petition for extension of time to complete use, the SWRCB must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared, a determination must be made of who is responsible for its preparation. As the petitioner, you are responsible for all costs associated with the environmental evaluation and preparation of the required CEQA documents. Please answer the following questions to the best of your ability and submit any studies that have been conducted regarding the environmental evaluation of your project. If you need more space to completely answer the questions, please number and attach additional sheets.

### 1. DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition to change, provide a description of the proposed changes to your project including, but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, increase in water diversion and use (up to the amount authorized by the permit), changes in land use, and project operational changes, including changes in how the water will be used. For a petition for extension of time, provide a description of what work has been completed and what remains to be done. Include in your description any of the above elements that will occur during the requested extension period.

See Attachment 1-Enviromental Information

☐ See Attachment No. \_\_\_\_\_

## ENVIRONMENTAL INFORMATION FOR PETITIONS

### 2. COUNTY PERMITS

- a. Contact your county planning or public works department and provide the following information:

Person contacted: Not necessary Date of contact: \_\_\_\_\_

Department: (no permits required) Telephone: ( )

County Zoning Designation: \_\_\_\_\_

Are any county permits required for your project? ☐ YES ☒ NO If YES, check appropriate box below:

☐ Grading permit ☐ Use permit ☐ Watercourse ☐ Obstruction permit ☐ Change of zoning

☐ General plan change ☐ Other (explain): \_\_\_\_\_

- b. Have you obtained any of the required permits described above? ☐ YES ☐ NO

If YES, provide a complete copy of each permit obtained.

☐ See Attachment No. \_\_\_\_\_

### 3. STATE/FEDERAL PERMITS AND REQUIREMENTS

- a. Check any additional state or federal permits required for your project:

☐ Federal Energy Regulatory Commission ☐ U.S. Forest Service ☐ Bureau of Land Management

☐ Soil Conservation Service ☐ Dept. of Water Resources (Div. of Safety of Dams) ☐ Reclamation Board

☐ Coastal Commission ☐ State Lands Commission ☐ Other (specify) \_\_\_\_\_

- b. For each agency from which a permit is required, provide the following information:

AGENCY	PERMIT TYPE	PERSON(S) CONTACTED	CONTACT DATE	TELEPHONE NO.

☐ See Attachment No. \_\_\_\_\_

- c. Does your proposed project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed or bank of any stream or lake? ☐ YES ☒ NO

If YES, explain: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ See Attachment No. \_\_\_\_\_

## ENVIRONMENTAL INFORMATION FOR PETITIONS

- d. Have you contacted the California Department of Fish and Game concerning your project? ☐ YES ☒ NO  
If YES, name and telephone number of contact: \_\_\_\_\_

### 4. ENVIRONMENTAL DOCUMENTS

- a. Has any California public agency prepared an environmental document for your project? ☐ YES ☒ NO  
If YES, submit a copy of the latest environmental document(s) prepared, including a copy of the notice of determination adopted by the California public agency. Public agency: \_\_\_\_\_
- b. If NO, check the appropriate box and explain below, if necessary:
- ☐ The petitioner is a California public agency and will be preparing the environmental document.\*
  - ☒ I expect that the SWRCB will be preparing the environmental document.\*\*
  - ☐ I expect that a California public agency other than the State Water Resources Control Board will be preparing the environmental document.\* Public agency: \_\_\_\_\_

☐ See Attachment No. \_\_\_\_\_

\* **Note:** When completed, submit a copy of the final environmental document (including notice of determination) or notice of exemption to the SWRCB, Division of Water Rights. Processing of your petition cannot proceed until these documents are submitted.

\*\* **Note:** CEQA requires that the SWRCB, as Lead Agency, prepare the environmental document. The information contained in the environmental document must be developed by the petitioner and at the petitioner's expense under the direction of the SWRCB, Division of Water Rights.

### 5. WASTE/WASTEWATER

- a. Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation?  
☐ YES ☒ NO  
If YES, or you are unsure of your answer, explain below and contact your local Regional Water Quality Control Board for the following information (See instruction booklet for address and telephone no.):  
\_\_\_\_\_

☐ See Attachment No. \_\_\_\_\_

- b. Will a waste discharge permit be required for your project? ☐ YES ☒ NO

Person contacted: \_\_\_\_\_ Date of contact: \_\_\_\_\_

- c. What method of treatment and disposal will be used? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ See Attachment No. \_\_\_\_\_

### 6. ARCHEOLOGY

- a. Have any archeological reports been prepared on this project? ☐ YES ☒ NO
- b. Will you be preparing an archeological report to satisfy another public agency? ☐ YES ☒ NO
- c. Do you know of any archeological or historic sites located within the general project area? ☐ YES ☒ NO

## ENVIRONMENTAL INFORMATION FOR PETITIONS

If YES, explain: \_\_\_\_\_

☐ See Attachment No. \_\_\_\_\_

### 7. ENVIRONMENTAL SETTING

Attach **three complete sets of color photographs**, clearly dated and labeled, showing the vegetation that exists at the below-listed three locations. For time extension petitions, the photographs should document only those areas of the project that will be impacted during the requested extension period.

- ☒ Along the stream channel immediately downstream from the proposed point(s) of diversion.
- ☒ Along the stream channel immediately upstream from the proposed point(s) of diversion.
- ☒ At the place(s) where the water is to be used.

### 8. CERTIFICATION

I hereby certify that the statements I have furnished above and in the attachments are complete to the best of my ability and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date: ✓ 12-10-2010

Signature: ✓ R. d K. SL

## **ATTACHMENT 1 – Environmental Information**

The intent of this petition is to dedicate, to instream uses, a portion of an existing riparian right, which has been exercised since the early 1950's. Historically, water has been directly diverted from 5 points of diversion (POD) on Russian River for irrigation, frost protection and heat control on 340 acres of pear orchard. The historical combined instantaneous diversion rate has been up to 30 cfs, which is the current pumping capacity. Petitioner intends to modify the pumping capacity at each of the five points of diversion such that the combined instantaneous rate is a maximum of 9.875 cfs. The remaining 20.125 cfs will remain instream to provide increased flows for fish, wildlife and recreation. It is the intent that the water remain instream from POD #2 (as shown on the attached map) to the mouth of the Russian River.

Petitioner holds existing appropriative rights, which authorize diversions from 3 of the 5 existing PODs, and the project includes a new appropriative application seeking wintertime diversion to storage from all 5 PODs. The combined maximum instantaneous rate of diversion under basis of all rights shall not exceed 9.875 cfs.